

10-1657-TSH

AFFIDAVIT OF GEOFFREY J. KELLY

I, Geoffrey J. Kelly, being duly sworn, depose and say as follows:

1. I am a Special Agent with the Federal Bureau of Investigation. I have been employed as a Special Agent with the Federal Bureau of Investigation for over 14 years. For eight years I was assigned to the Bank Robbery Task Force and during this period of time I was responsible for the investigation of numerous bank robberies.

2. I am aware that 18 U.S.C. § 2113(a) makes it a crime for anyone to use force and violence, or intimidation, to take from the person or presence of another, money belonging to or in the care, custody, control, management, possession of any federally insured bank. Having so said, I make this affidavit in support of a criminal complaint charging Denis Taylor ("Taylor"), whose date of birth is xx/xx/1973, with the December 14, 2009 robbery of the Rockland Trust, 428 Station Avenue, Yarmouth, Massachusetts, and the December 23, 2009 robbery of the TD Bank, 1095 Rt 28, Yarmouth, Massachusetts.

3. The facts stated herein are based on my personal involvement with this investigation, as well as from information provided to me by other law enforcement officers involved in the investigation. In submitting this affidavit, however, I have not included each and every fact known to me about this

investigation; rather, I only recount those facts necessary to establish the requisite probable cause.

4. Based on my training and experience, I know that the deposits of the Rockland Trust were insured by the Federal Deposit Insurance Corporation on December 14, 2009, the date of its robbery, and that the deposits of TD Bank were insured by the Federal Deposit Insurance Corporation on December 23, 2009, the day of its robbery.

5. As part of the investigation of the above robberies, F.B.I. personnel and the Yarmouth Police Department ("YPD") interviewed several victims and witnesses, reviewed available video surveillance, and learned the following:

6. ROCKLAND TRUST: On December 14, 2009, at approximately 11:00 a.m., a heavy-set white male entered the Rockland Trust located at 428 Station Avenue, Yarmouth, Massachusetts. The individual presented a teller with a demand note written on a piece of white paper. The note stated, "Give me your hundreds and fifties and NO dye packs If there's one I come back here and start shooting we don't want that." [sic] The individual also stated, "Give me all your hundreds and fifties all of it ... no the reserves." The teller handed the individual money and he fled the bank, leaving the demand note. The teller described the individual as a heavy-set white male wearing a black hooded sweatshirt with a white pattern on the front and back, brown

hair, a thick mustache with facial hair, vinyl surgical gloves, dark pants, baseball hat and Ray-Ban style sunglasses. The teller further stated that the individual was carrying a dark nylon bag, in which he placed the money as he was leaving.

7. Bank surveillance cameras were functional and operating at the time of the robbery. I have reviewed the taped footage from the surveillance cameras from December 14, 2009. Good quality images of the robber were captured and recorded. The images of the robber depict a heavy-set white male of average height wearing a black hooded sweatshirt with a very distinctive white design and sunglasses.

8. A post robbery audit conducted by the bank revealed that the robber took \$9,560.00 in United States currency.

9. TD Bank: On December 23, 2009, a heavy-set white male entered the TD Bank located at 1095 Rt 28, Yarmouth, at approximately 2:45 p.m. The individual approached a teller and stated, "Give me all your money hundreds and fifties now, I am not bullshitting and don't forget the reserve drawer." The individual took the money and placed it into a black nylon bag he was carrying. He left the bank and was observed heading east on foot toward Rt 28.

10. Bank surveillance cameras were functional and operating at the time of the robbery. I have reviewed the taped footage from the surveillance cameras from December 23, 2009. Good

quality images of the robber were captured and recorded. The images of the robber depict a heavy-set white male of average height wearing a black hooded sweatshirt and sunglasses. The suspect appears to have a slight growth of facial hair which appears to be a goatee with a very defined "soul patch." The individual appears to be the same individual depicted in the December 14, 2009 robbery of the Rockland Trust in Yarmouth.

11. A post robbery audit conducted by the bank revealed that the robber took \$3,261.00 in United States currency.

12. On December 23, 2009, it was determined that an individual, similar in appearance to the individual who had robbed the TD Bank, had entered and exited a number of banks in Yarmouth, in the area of TD Bank, earlier in the day. That individual was captured on video surveillance entering and exiting the Citizens Bank in Yarmouth, the Bank of America in Yarmouth, and the Sovereign Bank in Yarmouth. At the Citizens Bank, the individual is seen exiting a green GMAC SUV, entering the bank, and then seconds later exiting the bank and getting into the passenger side of the awaiting green GMAC SUV.

13. At some point after the above robberies, the Yarmouth Police released pictures to the media of the individual involved in the robberies.

14. Between December 23, 2009, and December 30, 2009, Detectives of the Yarmouth Police Department received two

anonymous telephone calls regarding the robberies of the Rockland Trust on December 14, 2009, and the TD Bank on December 23, 2009. Each of these callers stated that an individual named "Denis" committed the robberies and that he lived at 2 Ivanhoe Road, Yarmouth.

15. Detective Stephen Renzi of the Yarmouth Police Department received two additional calls regarding the robberies. The individual, who identified herself, stated that a man in the released pictures was "Denis" from 2 Ivanhoe Road in Yarmouth. The caller further stated that she and a friend, both had met "Denis" while he was living at 2 Ivanhoe Road. The caller left her phone number. This individual was later contacted by the Yarmouth Police and confirmed these facts in an interview.

16. Detective Eric Nuss of the Yarmouth Police Department commenced surveillance on the home located at 2 Ivanhoe Road, Yarmouth. He noted a green GMAC SUV parked in front of the address. An RMV query showed that the SUV was owned by Debra Selan of 2 Ivanhoe Road, Yarmouth.

17. On December 29, 2009, Detective Sargent Paterson of the Yarmouth Police Department was contacted by Deputy Marshal Joseph Norton of the United States Marshal's Office regarding an outstanding Federal Arrest Warrant for Denis Taylor. Deputy Marshal Norton indicated that Denis Taylor has a warrant stemming from a federal bank robbery conviction. Deputy Marshal Norton

indicated that his investigation into locating Taylor had also lead to 2 Ivanhoe Road, Yarmouth. Deputy Marshal Norton indicated that when the Yarmouth Police had queried the RMV information on Debra Selan he received notice. Debra Selan is listed with the United States Marshal's Service as a known friend of Denis Taylor and that Taylor had recently requested permission to relocate to the address of 2 Ivanhoe Road, Yarmouth. Denis Taylor's last known address was in Boston.

18. Deputy Marshall Norton provided the Detective Sargent Peterson with Denis Taylor's federal booking photograph. The individual depicted in the photograph bears a strong resemblance to the individual who committed the robberies of the Rockland Trust and the TD Bank.

19. On December 30, 2009, members of the Yarmouth Police Department and the Plymouth County Warrant Apprehension Unit assisted Deputy Marshal Norton with the arrest of Denis Taylor at 2 Ivanhoe Road, Yarmouth.

20. Noted during the arrest was a black draw string bag, similar in appearance to the bag used during the TD Bank robbery of December 23, 2009. This bag was located on the headboard of a bed in Selan's bedroom. Debra Selan, the owner of the property, gave permission to the Yarmouth Police Department, written and recorded, to conduct a search of the premises for items relating to the robberies of December 14, 2009, and December 23, 2009.

21. During the search of the bedroom and laundry rooms various items, including a black hooded sweatshirt (Adidas), a black zipped hooded sweatshirt with a distinctive white design on the front and back, white sneakers, jeans, vinyl gloves, Ray-Ban style sunglasses, a baggie containing a substance believed to be cocaine, and two dark vinyl bags were observed and seized.

22. These items were later viewed by the Detectives of the Yarmouth Police Department and various personnel of the Rockland Trust, TD Bank, Citizens Bank, Bank of America, and the Sovereign Bank. Many of these items appear to be similar to items worn by the individual involved in these events. In particular, the black hooded sweatshirt, with the distinctive white design, appears to be the sweatshirt worn by the robber on the December 14, 2009 robbery of the Rockland Trust.

23. I have reviewed the booking information provided by Denis Taylor to the Yarmouth Police when arrested on December 30, 2009. He is a heavy set white male and he listed his height as 6 feet. I have viewed the booking photograph of Denis Taylor. He appears to be the same person captured in the surveillance videos robbing the two banks referenced above on the specific dates.

24. On Friday February 19, 2010, I had the opportunity to interview Deborah Selan. I showed Selan photographs from the surveillance cameras outside Citizens Bank on the day of December 23, 2009. Selan indicated that the vehicle depicted in these

photographs, the green GMAC SUV, was in fact her's. She indicated that on that date of December 23, 2010, she believed that she had loaned the vehicle to Hilarion Zarate.

25. On Friday February 19, 2010, I also interviewed Haliron Zarate. Zarate stated that, "around Christmas," he had driven Denis Taylor, in Selan's green GMAC SUV, to a number of different locations in Yarmouth.

26. Haliron Zarate stated that he and Taylor left the 2 Ivanhoe Road, Yarmouth address and had driven to a number of different locations in Yarmouth including a Shaws Market's parking lot in Yarmouth which has a Citizens Bank inside, a Walgreen's parking lot which is located next to a Sovereign Bank, and a mattress store which is located next to the TD Bank. At each of these locations Zarate stated that Taylor exited the vehicle and returned a few minutes later. Zarate stated that on that date Taylor was wearing white sneakers, black sweatpants, sunglasses, and a black sweatshirt.

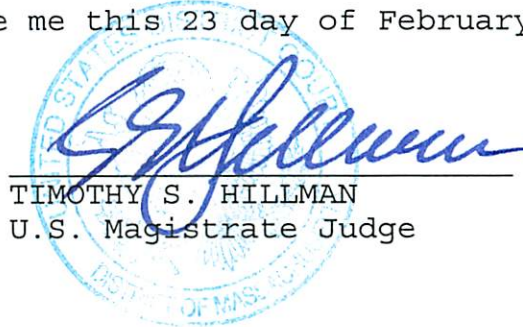
27. Based on the foregoing, there is probable cause to believe that on December 14, 2009, by force and violence, or by intimidation, Denis Taylor, took from the person and presence of employees of Rockland Trust, money belonging to and in the custody, control, management, and possession of Rockland Trust, a federally insured financial institution, in violation 18 U.S.C. § 2113(a).

28. Based on the foregoing, there is probable cause to believe that on December 23, 2009, by force and violence, or by intimidation, Denis Taylor, took from the person and presence of employees of TD Bank, money belonging to and in the custody, control, management, and possession of TD Bank, a federally insured financial institution, in violation 18 U.S.C. § 2113(a).



GEOFFREY J. KELLY
Special Agent
Federal Bureau of Investigation

SUBSCRIBED and SWORN to before me this 23 day of February 2010


TIMOTHY S. HILLMAN
U.S. Magistrate Judge